IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No 205 of 1996

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

RABARI BHIKHIBEN W/O TEJABHAI HARJIBHAI

Versus

STATE OF GUJARAT

Appearance:

MR BS PATEL for Petitioners

MR ST MEHTA APP for Respondent No. 1

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 20/09/2000

ORAL JUDGEMENT

This Revision Application under section 397 CRPC has been preferred by the accused persons in offence registered as CR. No.I-100/96 with Visnagar Police Station. By application dated 23rd April, 1996, police sought remand of the accused persons for 15 days. The

said application was rejected by the learned Judicial Magistrate, First Class, Visnagar. Feeling aggrieved, the prosecution preferred Criminal Revision Application No. 41/96 before the Sessions Court, Mehsana. The learned Additional Sessions Judge, Mehsana, by his judgment and order dated 24th June, 1996, allowed the Revision Application and ordered police remand of both the accused persons for a period of 7 days. Feeling aggrieved, the accused persons have preferred the present Revision Application.

In view of the impugned order dated 24th June, 1996, having been stayed by this court, and passage of time, the application requires to be allowed. The impugned order dated 24th June, 1996, passed by the learned Additional Sessions Judge, Mehsana, in Criminal Revision Application No. 41/96, is quashed and set aside. Rule is made absolute.

(MS R.M.DOSHIT J)

JOSHI